

**U.S. District Court
Southern District of Illinois (East St. Louis)
CIVIL DOCKET FOR CASE #: 3:16-cv-00948-JPG-GCS**

White v. Department of Justice et al
Assigned to: Judge J. Phil Gilbert
Referred to: Magistrate Judge Gilbert C. Sison
Cause: 05:552 Freedom of Information Act

Date Filed: 08/25/2016
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

William A White

represented by **William A White**
13888-084
MARION
U.S. PENITENTIARY
P.O. BOX 1000
MARION, IL 62959
PRO SE

V.

Defendant

Department of Justice

represented by **Suzanne M. Garrison**
Assistant U.S. Attorney – Fairview
Heights
Generally Admitted
9 Executive Drive
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Federal Bureau of Investigation

represented by **Suzanne M. Garrison**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

United States Marshals Service

represented by **Suzanne M. Garrison**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Federal Bureau of Prisons

represented by **Suzanne M. Garrison**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**Bureau of Alcohol, Tobacco, Firearms,
and Explosives**

represented by **Suzanne M. Garrison**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
08/25/2016	<u>1</u>	COMPLAINT against All Defendants filed by William A White. (Attachments: # <u>1</u> Exhibits)(jaj) (Entered: 08/25/2016)
08/25/2016	<u>2</u>	MOTION for Leave to Proceed in forma pauperis by William A White. (jaj) (Entered: 08/25/2016)
08/25/2016	<u>3</u>	Letter from USDC/SDIL to Plaintiff informing him of case number. (Attachments: # <u>1</u> Consent to Magistrate Judge) (jaj) (Entered: 08/25/2016)
09/29/2016	<u>4</u>	Supplementary Brief on Breach of Mandatory Duties by William A White. (cds) (Entered: 09/29/2016)
09/29/2016	<u>5</u>	NOTICE of Intervening Case Law by William A White (cds) (Entered: 09/29/2016)
09/29/2016	<u>6</u>	MOTION to Amend <u>1</u> Complaint by William A White. (cds) (Entered: 09/29/2016)
10/11/2016	<u>7</u>	ORDER Directing Monthly Payments be made from Prison Account of White, granting <u>2</u> MOTION for Leave to Proceed in forma pauperis filed by William A White. Signed by Judge J. Phil Gilbert on 10/4/2016. (tjk) (Entered: 10/11/2016)
10/21/2016	<u>8</u>	MOTION to Stay Collection of Fees re <u>7</u> Order Directing Prisoner Payment by William A White. (Attachments: # <u>1</u> Envelope)(slj2) (Entered: 10/21/2016)
10/26/2016	<u>9</u>	ORDER DENYING WITHOUT PREJUDICE <u>6</u> Motion to Amend/Correct. Signed by Magistrate Judge Donald G. Wilkerson on 10/25/16. (sgp) (Entered: 10/26/2016)
11/03/2016	<u>10</u>	MEMORANDUM AND ORDER, denying <u>8</u> MOTION to Stay re <u>7</u> Order Directing Prisoner Payment, Terminate Motions filed by William A White. Signed by Judge J. Phil Gilbert on 11/3/2016. (jdh) (Entered: 11/03/2016)
11/09/2016		Filing fee: \$ 350.00, receipt number 34625070324 (jsm2) (Entered: 11/09/2016)
02/06/2017	<u>11</u>	MOTION for Leave to File Amended Complaint (Amended Complaint with exhibits received and under review) by William A White. (tkm) (Entered: 02/06/2017)
03/08/2017	<u>12</u>	NOTICE of Praecept by William A White (tkm) (Entered: 03/08/2017)
06/12/2017	<u>13</u>	MEMORANDUM AND ORDER, re: service. The Court DIRECTS the Clerk of Court to complete, on Plaintiff's behalf, a summons and form USM-285 for service of process on each defendant, DEPARTMENT OF JUSTICE, FEDERAL BUREAU OF INVESTIGATION, UNITED STATES MARSHALS SERVICE and FEDERAL BUREAU OF PRISONS, and to issue completed summonses. The Clerk shall provide the United States Marshal all necessary materials and copies for service. Signed by Judge J. Phil Gilbert on 6/12/2017. (jdh) (Entered: 06/12/2017)
06/13/2017	<u>14</u>	Summons Issued as to Department of Justice. (kdb) (Main Document 14 replaced on 6/13/2017) (mar). (Entered: 06/13/2017)
06/13/2017	<u>15</u>	Summons Issued as to United States Marshals Service. (kdb) (Entered: 06/13/2017)
06/13/2017	<u>16</u>	Summons Issued as to Federal Bureau of Investigation. (kdb) (Main Document 16 replaced on 6/13/2017) (mar). (Entered: 06/13/2017)
06/13/2017	<u>17</u>	Summons Issued as to Federal Bureau of Prisons. (kdb) (Main Document 17 replaced on 6/13/2017) (mar). (Entered: 06/13/2017)
06/13/2017	<u>18</u>	NOTICE OF MODIFICATION re <u>16</u> , <u>14</u> , and <u>17</u> Summons Issued. Summons re-issued with corrected address information and replaced accordingly. NEF's regenerated. (mar)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 06/13/2017)
07/05/2017	<u>19</u>	SUMMONS Returned Executed Federal Bureau of Prisons served on 6/27/2017, answer due 8/28/2017. (jsm2) (Entered: 07/05/2017)
07/05/2017	<u>20</u>	SUMMONS Returned Executed Department of Justice served on 6/28/2017, answer due 8/28/2017. (jsm2) (Entered: 07/05/2017)

07/05/2017	<u>21</u>	SUMMONS Returned Executed United States Marshals Service served on 6/28/2017, answer due 8/28/2017. (jsm2) (Entered: 07/05/2017)
07/07/2017	<u>22</u>	NOTICE of Appearance by Suzanne M. Garrison on behalf of All Defendants (Garrison, Suzanne) (Entered: 07/07/2017)
07/13/2017	<u>23</u>	SUMMONS Returned Executed Federal Bureau of Investigation served on 6/28/2017, answer due 7/19/2017. (jsm2) (Entered: 07/13/2017)
07/14/2017	<u>24</u>	ORDER GRANTING <u>11</u> Motion for Leave to File. Signed by Magistrate Judge Donald G. Wilkerson on 7/14/17. (sgp) (Entered: 07/14/2017)
07/17/2017	<u>25</u>	AMENDED COMPLAINT against All Defendants, filed by William A White. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6)(kdb) (Entered: 07/17/2017)
07/17/2017	<u>26</u>	CJRA TRACK B assigned: Final Pretrial Conference is set for 9/5/2018 at 9:30 AM in Benton Courthouse before Judge J. Phil Gilbert. Bench Trial is set for 9/17/2018 at 9:00 AM in Benton Courthouse before Judge J. Phil Gilbert.(tag) (Entered: 07/17/2017)
07/21/2017	<u>27</u>	PRAECIPE by William A White. (jaj) (Entered: 07/24/2017)
07/24/2017	<u>28</u>	STRICKEN – MOTION for Extension of Time to File Answer re <u>25</u> Amended Complaint by Department of Justice, Federal Bureau of Investigation, Federal Bureau of Prisons, United States Marshals Service. (Garrison, Suzanne) Modified on 7/25/2017 (cds). (Entered: 07/24/2017)
07/25/2017	29	NOTICE STRIKING ELECTRONICALLY FILED DOCUMENTS striking <u>28</u> Motion for Extension of Time to File Answer filed by Federal Bureau of Prisons, United States Marshals Service, Department of Justice, Federal Bureau of Investigation. Incorrect PDF attached. Filer will re file document. (cds)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 07/25/2017)
07/25/2017	<u>30</u>	MOTION for Extension of Time to File Answer re <u>25</u> Amended Complaint by Department of Justice, Federal Bureau of Investigation, Federal Bureau of Prisons, United States Marshals Service. (Garrison, Suzanne) (Entered: 07/25/2017)
08/03/2017	<u>31</u>	MOTION to Order the US Marshal to Serve the Bureau of Alcohol, Tobacco, Firearms, and Explosives by William A White. (tkm) (Entered: 08/03/2017)
08/03/2017	32	ORDER GRANTING <u>30</u> Motion for Extension of Time to Answer. Defendants, except Defendants who have not been served, to file an answer by August 31, 2017. Signed by Magistrate Judge Donald G. Wilkerson on 8/3/2017. (sgp)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 08/03/2017)
08/03/2017	33	ORDER GRANTING <u>31</u> Motion for Order: The Court DIRECTS the Clerk of Court to complete, on Plaintiffs behalf, a summons and form USM–285 for service of process on the BUREAU OF ALCOHOL, TOBACCO, FIREARMS, AND EXPLOSIVES and to issue completed summonses. The Clerk shall provide the United States Marshal all necessary materials and copies for service. The United States Marshal SHALL, within 90 days of the date of this order, serve Defendants BUREAU OF ALCOHOL, TOBACCO, FIREARMS, AND EXPLOSIVES pursuant to Rule 4(i)(2) of the Federal Rules of Civil Procedure by sending a copy of the summons and amended complaint to the agency by registered or certified mail. In addition, pursuant to Federal Rule of Civil Procedure 4(i)(1), the United States Marshal SHALL (1) personally deliver to or send by registered or certified mail addressed to the civil–process clerk at the office of the United States Attorney for the Southern District of Illinois a copy of the summons and the complaint; and (2) send by registered or certified mail to the Attorney General of the United States at Washington, D.C., a copy of the summons and the complaint. All costs of service shall be advanced by the United States. Signed by Magistrate Judge Donald G. Wilkerson on 8/3/2017. (sgp)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 08/03/2017)

08/04/2017	<u>34</u>	Summons Issued as to Bureau of Alcohol, Tobacco, Firearms, and Explosives. (tkm) (Entered: 08/04/2017)
08/24/2017	<u>35</u>	SUMMONS Returned Executed Bureau of Alcohol, Tobacco, Firearms, and Explosives served on 8/18/2017, answer due 10/17/2017. (tkm) (Entered: 08/24/2017)
08/28/2017	<u>36</u>	Second MOTION for Extension of Time to File Answer re <u>25</u> Amended Complaint by All Defendants. (Garrison, Suzanne) (Entered: 08/28/2017)
09/01/2017	<u>37</u>	ORDER GRANTING <u>36</u> Second MOTION for Extension of Time to File Answer re <u>25</u> Amended Complaint filed by Federal Bureau of Prisons, United States Marshals Service, Bureau of Alcohol, Tobacco, Firearms, and Explosives, Department of Justice, Federal Bureau of Investigation. Bureau of Alcohol, Tobacco, Firearms, and Explosives answer due 10/2/2017; Department of Justice answer due 10/2/2017; Federal Bureau of Investigation answer due 10/2/2017; Federal Bureau of Prisons answer due 10/2/2017; United States Marshals Service answer due 10/2/2017. Signed by Magistrate Judge Donald G. Wilkerson on 9/1/2017. (sgp)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 09/01/2017)
10/02/2017	<u>38</u>	MOTION for Partial Summary Judgment by Department of Justice. Responses due by 11/6/2017 (Attachments: # <u>1</u> ATF Response, # <u>2</u> BOP Response)(Garrison, Suzanne) (Entered: 10/02/2017)
10/02/2017	<u>39</u>	NOTICE by Department of Justice (Garrison, Suzanne) (Entered: 10/02/2017)
10/02/2017	<u>40</u>	ANSWER to <u>25</u> Amended Complaint by Department of Justice, Federal Bureau of Investigation, Federal Bureau of Prisons, United States Marshals Service.(Garrison, Suzanne) (Entered: 10/02/2017)
10/23/2017	<u>41</u>	MOTION to Strike Defendants' Second and Third Defenses from <u>40</u> Answer to Amended Complaint Pursuant to Fed.R.Civ.P. 12 (f)(2) by William A White. (tjk) (Entered: 10/23/2017)
10/23/2017	<u>42</u>	WITHDRAWN PER ORDER AT DOC. 89 MOTION for Partial Summary Judgment on the US Marshals Service and Federal Bureau of Investigation Claims and Reply by William A White. Responses due by 11/27/2017 (Attachments: # <u>1</u> Exhibit)(tjk) Modified on 3/19/2018 (kdb). (Entered: 10/23/2017)
10/23/2017	<u>43</u>	MOTION for Partial Summary Judgment and Response by William A White. Responses due by 11/27/2017 (Attachments: # <u>1</u> Exhibit)(tjk) (Entered: 10/23/2017)
10/26/2017	<u>44</u>	RESPONSE to <u>41</u> Motion to Strike <i>Defendant's Second and Third Defenses from Doc. 40</i> filed by Department of Justice. (Garrison, Suzanne) (Entered: 10/26/2017)
11/09/2017	<u>45</u>	REPLY to Response to Motion re <u>41</u> MOTION to Strike <u>40</u> Answer to Amended Complaint filed by William A White. (tkm) (Entered: 11/09/2017)
11/16/2017	<u>46</u>	MOTION to Sanction Department of Justice, Bureau of Alcohol Tobacco Firearms and Explosives, Bureau of Prisons and their Counsel by William A White. (jsm2) (Entered: 11/16/2017)
11/27/2017	<u>47</u>	RESPONSE to <u>42</u> Motion for Partial Summary Judgment filed by Department of Justice, Federal Bureau of Investigation, United States Marshals Service. (Garrison, Suzanne) (Entered: 11/27/2017)
11/27/2017	<u>48</u>	RESPONSE to <u>43</u> Motion for Partial Summary Judgment filed by Bureau of Alcohol, Tobacco, Firearms, and Explosives, Department of Justice, Federal Bureau of Prisons. (Garrison, Suzanne) (Entered: 11/27/2017)
11/27/2017	<u>49</u>	RESPONSE to <u>46</u> Motion for Sanctions filed by Bureau of Alcohol, Tobacco, Firearms, and Explosives, Department of Justice, Federal Bureau of Prisons. (Garrison, Suzanne) (Entered: 11/27/2017)
11/27/2017	<u>50</u>	MOTION for Partial Summary Judgment <i>as to Certain Claims Related to Freedom of Information Act Requests Directed to the Federal Bureau of Investigation</i> by Department of Justice, Federal Bureau of Investigation. Responses due by 1/2/2018 (Attachments: # <u>1</u> Declaration of David M. Hardy)(Garrison, Suzanne) (Entered: 11/27/2017)

11/27/2017	<u>51</u>	NOTICE by Department of Justice re <u>50</u> MOTION for Partial Summary Judgment <i>as to Certain Claims Related to Freedom of Information Act Requests Directed to the Federal Bureau of Investigation</i> (Garrison, Suzanne) (Entered: 11/27/2017)
12/06/2017	<u>52</u>	REPLY to Response to Motion re <u>43</u> MOTION for Partial Summary Judgment, <u>42</u> MOTION for Partial Summary Judgment filed by William A White. (tkm) (Entered: 12/07/2017)
12/06/2017	<u>53</u>	REPLY to Response to Motion re <u>46</u> MOTION for Sanctions filed by William A White. (tkm) (Entered: 12/07/2017)
12/14/2017	<u>54</u>	RESPONSE to Motion re <u>50</u> MOTION for Partial Summary Judgment as to Certain Claims Related to Freedom of Information Act Requests Directed to the Federal Bureau of Investigation filed by William A White. (jsm2) (Entered: 12/14/2017)
12/20/2017	<u>55</u>	MEMORANDUM AND ORDER, denying <u>41</u> MOTION to Strike <u>40</u> Answer to Amended Complaint filed by William A White. Signed by Judge J. Phil Gilbert on 12/20/2017. (jdh) (Entered: 12/20/2017)
01/16/2018	<u>56</u>	STRICKEN PER ORDER AT DOC. 58– RESPONSE to <u>55</u> Memorandum & Opinion, Terminate Motions filed by William A White. (jsm2) Modified on 1/17/2018 (jdh). (Entered: 01/16/2018)
01/16/2018	<u>57</u>	NOTICE of Amended Litigation History Disclosure by William A White (tkm) (Entered: 01/16/2018)
01/17/2018	<u>58</u>	NOTICE STRIKING ELECTRONICALLY FILED DOCUMENTS striking <u>56</u> Response filed by William A White. Duplicate document filed at doc.57. (jdh)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 01/17/2018)
01/19/2018	<u>59</u>	MEMORANDUM AND ORDER, The Court DIRECTS the Clerk of Court to terminate White's request for summary judgment in his summary judgment response brief (Doc. 43), ORDERS that White shall have up to and including February 23, 2018, to file a new motion for summary judgment on the merits to advance his arguments with respect to the remaining claims involving the ATF and BOP, GRANTS in part and DENIES in part the DOJ's motions for partial summary judgment (Docs. 38 & 50). The Court DENIES White's motion for sanctions (Doc. 46) and DIRECTS the Clerk of Court to enter judgment accordingly at the close of the case. Signed by Judge J. Phil Gilbert on 1/19/2018. (jdh) (Entered: 01/19/2018)
01/23/2018	<u>60</u>	SECOND NOTICE of Amended Litigation History Disclosure by William A White. (jsm2) (Entered: 01/23/2018)
01/23/2018	<u>61</u>	MOTION for Leave to File an Amended Declaration as to FBI Counter Intelligence Activities against Russia by William A White. (jsm2) (Entered: 01/23/2018)
01/24/2018	<u>62</u>	ORDER denying as moot <u>61</u> Motion for Leave to File Amended Declaration. White seeks to amend an affidavit he submitted in response to the defendant's motion for partial summary judgment, but the Court has already ruled on that summary judgment motion. Signed by Judge J. Phil Gilbert on 1/24/2018. (tlp)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 01/24/2018)
01/30/2018	<u>63</u>	STRICKEN – MOTION to Dismiss for Failure to State a Claim by Federal Bureau of Prisons. Responses due by 3/5/2018 (Garrison, Suzanne) Modified on 1/30/2018 (cjo). (Entered: 01/30/2018)
01/30/2018	<u>64</u>	NOTICE STRIKING ELECTRONICALLY FILED DOCUMENTS striking <u>63</u> Motion to Dismiss for Failure to State a Claim filed by Federal Bureau of Prisons. Document filed with the incorrect case number in the caption and also filed in the incorrect case. (cjo)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 01/30/2018)
02/05/2018	<u>65</u>	WITHDRAWN PER ORDER AT DOC. 89 SECOND MOTION for Summary Judgment as to the Bureau of Alcohol, Tobacco, Firearms, and, Explosives (BATFE) Claims by William A White. Responses due by 3/12/2018. (jsm2) Modified on 3/19/2018 (kdb). (Entered: 02/05/2018)

02/05/2018	<u>66</u>	Second Sworn Declaration as to the BATF FOIA by William A White. (jsm2) (Entered: 02/06/2018)
02/05/2018	<u>67</u>	STRICKEN Per Order at doc 76– Second Sworn Declaration as to FBI Counter–Intelligence Activities against Russia by William A White. (jsm2) Modified on 2/22/2018 (kdb). (Entered: 02/06/2018)
02/06/2018	<u>68</u>	WITHDRAWN PER ORDER AT DOC. 89 SECOND MOTION for Summary Judgment as to the Bureau of Prisons (BOP) Claims by William A White. Responses due by 3/12/2018. (Attachments: # <u>1</u> Second Sworn Declaration.(jsm2) Modified on 3/19/2018 (kdb). (Entered: 02/06/2018)
02/09/2018	<u>69</u>	MOTION for Leave to File an Extended Brief in Support of Summary Judgment on the USMS Claims by William A White. (jsm2) (Entered: 02/09/2018)
02/13/2018	70	ORDER granting <u>69</u> Motion for Leave to File. The Clerk of Court is DIRECTED to file the 28–page motion, along with the attached 11–page affidavit, tendered by White. Signed by Judge J. Phil Gilbert on 2/13/2018. (tlp)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 02/13/2018)
02/13/2018	<u>71</u>	MOTION for Leave to File an Extended Pleading, Motion for Summary Judgment as to the FBI Claims, by William A White. Document received this date and under review. (jaj) (Entered: 02/13/2018)
02/14/2018	72	ORDER granting <u>71</u> Motion for Leave to File Summary Judgment Motion as to the FBI. The Clerk of Court is DIRECTED to file the 61–page motion, along with its attachments, tendered by White. Signed by Judge J. Phil Gilbert on 2/14/2018. (tlp)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 02/14/2018)
02/14/2018	<u>73</u>	WITHDRAWN PER ORDER AT DOC. 89 SECOND MOTION for Summary Judgment On The US Marshals by William A White. Responses due by 3/19/2018 (Attachments: # <u>1</u> Exhibits)(kdb) Modified on 3/19/2018 (kdb). (Entered: 02/14/2018)
02/14/2018	<u>74</u>	WITHDRAWN PER ORDER AT DOC. 89 SECOND MOTION for Summary Judgment as to the Federal Bureau of Investigation (FBI) Claims by William A White. Responses due by 3/19/2018 (kdb) Modified on 3/19/2018 (kdb). (Entered: 02/14/2018)
02/20/2018	<u>75</u>	WITHDRAWN PER ORDER AT DOC. 89 MOTION for Partial Summary Judgment on the FBI Aryan Nations Claim by William A White. Responses due by 3/26/2018 (jsm2) Modified on 3/19/2018 (kdb). (Entered: 02/20/2018)
02/21/2018	76	ORDER STRIKING <u>67</u> Affidavit filed by William A White. This is a free–standing document not filed in support of any pending motion and should not have been filed. The Court reminds White that the Court file is not a repository for his evidence in support of his case. Signed by Judge J. Phil Gilbert on 2/21/2018. (tlp)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 02/21/2018)
02/23/2018	<u>77</u>	STRICKEN ORDER: Dispositive Motions due by 3/23/2018. Signed by Magistrate Judge Donald G. Wilkerson on 2/23/2018. (sgp) Modified on 2/26/2018 (kdb). (Entered: 02/23/2018)
02/26/2018	78	NOTICE STRIKING ELECTRONICALLY FILED DOCUMENTS striking <u>77</u> Order, Set Deadlines. Corrected document to be filed. (kdb)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 02/26/2018)
02/26/2018	<u>79</u>	ORDER: Dispositive Motions due by 3/23/2018. Signed by Magistrate Judge Donald G. Wilkerson on 2/23/2018. (sgp) (Entered: 02/26/2018)
02/28/2018	<u>80</u>	WITHDRAWN PER ORDER AT DOC. 89 MOTION for Partial Summary Judgment as to 13 Federal Bureau of Investigation ("FBI") FOIA Claims by William A White. Responses due by 4/2/2018.(jsm2) Modified on 3/19/2018 (kdb). (Entered: 02/28/2018)

02/28/2018	<u>81</u>	MOTION for Briefing Schedule re <u>65</u> MOTION for Summary Judgment, <u>80</u> MOTION for Summary Judgment, <u>73</u> MOTION for Summary Judgment, <u>68</u> MOTION for Summary Judgment, <u>75</u> MOTION for Summary Judgment, <u>74</u> MOTION for Summary Judgment by Department of Justice. (Garrison, Suzanne) (Entered: 02/28/2018)
03/02/2018	<u>82</u>	WITHDRAWN PER ORDER AT DOC. 89 MOTION for Leave to File an Extended Pleading by William A White. (jsm2) Modified on 3/19/2018 (kdb). (Entered: 03/02/2018)
03/02/2018	<u>83</u>	ORDER GRANTING <u>81</u> Motion. For good cause shown, Defendants shall respond to the pending motions for summary judgment, and any additional motions for summary judgment filed by Plaintiff, by June 21, 2018. Plaintiff is reminded that his deadline for filing such motions is March 23, 2018 and is directed to review this Court's previous Order setting that deadline <u>79</u> . Defendants are further GRANTED until June 21, 2018 to file their own motions for summary judgment. Signed by Magistrate Judge Donald G. Wilkerson on 3/2/2018. (sgp)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 03/02/2018)
03/02/2018	<u>84</u>	RESPONSE in Opposition re <u>82</u> MOTION for Leave to File an Extended Pleading. filed by Department of Justice. (Garrison, Suzanne) (Entered: 03/02/2018)
03/06/2018		Set/Reset Deadlines as to <u>75</u> MOTION for Summary Judgment, <u>74</u> MOTION for Summary Judgment, <u>80</u> MOTION for Summary Judgment, <u>65</u> MOTION for Summary Judgment, <u>68</u> MOTION for Summary Judgment, <u>73</u> MOTION for Summary Judgment. Responses due by 6/21/2018 (kdb) (Entered: 03/06/2018)
03/12/2018	<u>85</u>	RESPONSE to <u>81</u> Motion for Miscellaneous Relief filed by William A White. (jsm2) (Entered: 03/12/2018)
03/15/2018	<u>86</u>	MOTION for Leave to File an Extended Pleading, Consolidated Third Motion for Summary Judgment by William A White. (jsm2) (Entered: 03/15/2018)
03/15/2018	<u>87</u>	MOTION to Withdraw <u>65</u> MOTION for Summary Judgment, <u>42</u> MOTION for Partial Summary Judgment, <u>73</u> MOTION for Summary Judgment, <u>68</u> MOTION for Summary Judgment, <u>75</u> MOTION for Summary Judgment, <u>74</u> MOTION for Summary Judgment by William A White. (jsm2) (Entered: 03/15/2018)
03/15/2018	<u>88</u>	MOTION to Withdraw Document <u>82</u> MOTION for Leave to File an Extended Pleading and Reply by William A White. (jsm2) (Entered: 03/15/2018)
03/16/2018	<u>89</u>	ORDER, The Court GRANTS the motions to withdraw (Docs. 87 & 88) and ORDERS that the pending summary judgment motions (Docs. 42, 65, 68, 73, 74, 75 & 80) and the pending motion for leave to exceed the page limit (Doc. 82) are WITHDRAWN. The Court further GRANTS the motion for leave to file a single, consolidated summary judgment motion that exceeds the twenty-page limit (Doc. 86) and DIRECTS the Clerk of Court to file the tendered motion, along with the proposed exhibits. Signed by Judge J. Phil Gilbert on 3/16/2018. (jdh) (Entered: 03/16/2018)
03/19/2018	<u>90</u>	THIRD MOTION for Summary Judgment by William A White. Responses due by 4/23/2018 (Attachments: # <u>1</u> Proposed Exhibits)(kdb) (Entered: 03/19/2018)
06/18/2018	<u>91</u>	MOTION to Exceed Page Limit by Department of Justice. (Garrison, Suzanne) (Entered: 06/18/2018)
06/20/2018	<u>92</u>	ORDER granting <u>91</u> Motion to exceed page limit. Signed by Judge J. Phil Gilbert on 6/20/2018. (tlp)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 06/20/2018)
06/21/2018	<u>93</u>	Second MOTION for Extension of Time to Respond to Third Motion for Summary Judgment, First MOTION for Extension of Time to File Cross-Motion for Summary Judgment by All Defendants. (Garrison, Suzanne) (Entered: 06/21/2018)
06/22/2018	<u>94</u>	ORDER granting <u>93</u> Motion for Extension of Time. The defendants' Response to Third Motion for Summary Judgment and the defendants' Cross-Motion for Summary Judgment are due June 29, 2018. Signed by Judge J. Phil Gilbert on 6/22/2018. (tlp)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 06/22/2018)

06/25/2018	<u>95</u>	RESPONSE to Motion re <u>90</u> MOTION for Summary Judgment filed by Department of Justice. (Attachments: # <u>1</u> Attachment 1 – Second Declaration of David Hardy, # <u>2</u> Attachment 2 – Hardy Declaration Exhibit A, # <u>3</u> Attachment 4 – Declaration of Peter Chisholm, # <u>4</u> Attachment 5 – Declaration of Erika Fenstermaker, # <u>5</u> Attachment 6 – Fenstermaker Declaration Exhibit A, # <u>6</u> Attachment 7 – Fenstermaker Vaughn Index, # <u>7</u> Attachment 8 – Declaration of John Wallace, # <u>8</u> Attachment 9 – Declaration of Katherine Day, # <u>9</u> Attachment 10 – Summary of Plaintiff's FOIA Requests)(Garrison, Suzanne) (Entered: 06/25/2018)
06/25/2018	<u>96</u>	Sealed Document <i>Attachment 3 – In Camera Ex Parte Declaration of David Hardy</i> re <u>95</u> Response to Motion,, by Department of Justice. (Garrison, Suzanne) (Entered: 06/25/2018)
06/29/2018	<u>97</u>	MOTION to Vacate <u>92</u> Order on Motion for Miscellaneous Relief, <u>94</u> Order on Motion for Extension of Time, and Strike <u>91</u> and <u>93</u> for Lack of Service by William A White. (jsm2) (Entered: 06/29/2018)
06/29/2018	<u>98</u>	Cross MOTION for Summary Judgment by Department of Justice. Responses due by 8/2/2018 (Garrison, Suzanne) (Entered: 06/29/2018)
06/29/2018	<u>99</u>	NOTICE by Department of Justice <i>to pro se Plaintiff of Consequences of Failing to Respond to Defendants Cross-Motion for Summary Judgment</i> (Garrison, Suzanne) (Entered: 06/29/2018)
07/02/2018	<u>100</u>	RESPONSE to <u>97</u> Motion to Vacate filed by All Defendants. (Garrison, Suzanne) (Entered: 07/02/2018)
07/03/2018	<u>101</u>	ORDER re: <u>97</u> Motion to Vacate. Plaintiff shall have up to and including July 27, 2018, to file objections to the defendants' requests for an extension of <u>93</u> time and of <u>91</u> page limits. Plaintiff's response to the defendants' <u>98</u> motion for summary judgment is stayed pending resolution of his <u>97</u> motion to vacate. Signed by Judge J. Phil Gilbert on 7/3/2018. (tlp)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 07/03/2018)
07/10/2018	<u>102</u>	MOTION to Strike <u>98</u> Cross MOTION for Summary Judgment as Frivolous, Malicious, Impertinent, and, Intended to Harass by William A White. (jaj) (Entered: 07/10/2018)
07/10/2018	<u>103</u>	MOTION to Strike <u>95</u> Response to Motion and Related Exhibits as Untimely, and, in Violation of SD Ill Local Rule 7.1(d) by William A White. (jsm2) (Entered: 07/10/2018)
07/10/2018	<u>104</u>	MOTION for Extension of Time to File and for Leave to File an Extended Reply Brief by William A White. (jsm2) (Entered: 07/10/2018)
07/12/2018	<u>105</u>	ORDER granting <u>104</u> Motion for Extension of Time and for Extension of Page Limit. Plaintiff's reply to the defendants' response to his <u>90</u> summary judgment motion is stayed pending resolution of his <u>97</u> motion to vacate. Plaintiff's brief shall not exceed 30 pages. Signed by Judge J. Phil Gilbert on 7/12/2018. (tlp)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 07/12/2018)
07/12/2018	<u>106</u>	STRICKEN PER ORDER AT DOC. 115 – EXHIBITS to Doc. 104 by William A White. (jsm2) Modified on 7/19/2018 (mar). (Entered: 07/12/2018)
07/12/2018	<u>107</u>	MOTION to Set Briefing Schedule by William A White. (jsm2) (Entered: 07/12/2018)
07/12/2018	<u>108</u>	RESPONSE to Motion re <u>98</u> Cross MOTION for Summary Judgment filed by William A White. (jsm2) (Entered: 07/12/2018)
07/12/2018	<u>109</u>	MOTION for Leave to Take Discovery by William A White. (jsm2) (Entered: 07/12/2018)
07/12/2018	<u>110</u>	RESPONSE to Motion re <u>109</u> MOTION for Discovery filed by Department of Justice. (Garrison, Suzanne) (Entered: 07/12/2018)
07/12/2018	<u>111</u>	RESPONSE to Motion re <u>103</u> MOTION to Strike <u>95</u> Response to Motion,, filed by Department of Justice. (Garrison, Suzanne) (Entered: 07/12/2018)

07/13/2018	<u>112</u>	Letter from William A. White regarding exhibits to Reply to Doc. 95 in two separate envelopes. (jsm2) (Entered: 07/13/2018)
07/13/2018	<u>113</u>	REPLY to Response to Motion re <u>90</u> MOTION for Summary Judgment filed by William A White. (jsm2) (Additional attachment(s) added on 8/3/2018: # <u>1</u> Exhibit) (kdb). (Entered: 07/13/2018)
07/16/2018	<u>114</u>	OBJECTIONS to <u>93</u> Motion for Extension of Time, Motion for Extension of Time to File, <u>91</u> Motion for Miscellaneous Relief by William A White. (jaj) (Entered: 07/16/2018)
07/17/2018	<u>115</u>	ORDER STRIKING <u>106</u> Exhibit filed by William A White. These unnecessary documents were filed in support of a motion upon which the Court has already ruled and should not have been filed separately from the motion. The Court reminds White that the Court file is not a repository for his evidence in support of his case. Signed by Judge J. Phil Gilbert on 7/17/2018. (tlp)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 07/17/2018)
07/26/2018	<u>116</u>	MOTION to Vacate Court's Order Striking Exhibits 115 Order by William A White. (jsm2) (Entered: 07/26/2018)
08/02/2018	<u>117</u>	MEMORANDUM AND ORDER. Signed by Judge J. Phil Gilbert on 8/2/2018. (jdh) (Entered: 08/02/2018)
08/03/2018	<u>118</u>	MOTION to Sanction Assistant US Attorney Suzanne M Garrison and, the Department of Justice by William A White. (jsm2) (Entered: 08/03/2018)
08/03/2018	<u>119</u>	NOTICE of Intent to Seek Sanctions by William A White. (jsm2) (Entered: 08/03/2018)
08/08/2018	<u>120</u>	RESPONSE to Motion re <u>118</u> MOTION for Sanctions filed by Department of Justice. (Garrison, Suzanne) (Entered: 08/08/2018)
08/16/2018	<u>121</u>	REPLY to Response to Motion re <u>118</u> MOTION for Sanctions filed by William A White. (jaj) (Entered: 08/16/2018)
08/31/2018	<u>122</u>	RESPONSE to <u>108</u> Response to Motion filed by Department of Justice. (Attachments: # <u>1</u> Attachment 1, Declaration of Katherine A. Day, # <u>2</u> Attachment 2, Summary of William White's FOIA Requests)(Garrison, Suzanne) (Entered: 08/31/2018)
09/04/2018	<u>123</u>	NOTICE RESCHEDULING HEARING: The Final Pretrial Conference is Reset for 3/20/2019 at 9:00 AM with a Bench Trial date of 4/1/2019 at 9:00 AM in Benton Courthouse before Judge J. Phil Gilbert. This matter is STRICKEN from the previous final pre-trial and trial settings.(tag)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 09/04/2018)
09/10/2018	<u>124</u>	MOTION to Strike Portions of <u>122</u> Response as Insufficient, Immaterial, Impertinent, and, Scandalous pursuant to Fed.R.Civ.P.12(f) by William A White. (jsm2) (Entered: 09/10/2018)
09/10/2018	<u>125</u>	MOTION to Order AUSA Suzanne M. Garrison, and, the Department of Justice, to Show Cause Why They Should not be Held in Criminal Contempt for Tampering with an Officer of the Court, and, a Witness, and, Resisting the Lawful Process of the Court by William A White. (jsm2) (Entered: 09/10/2018)
10/01/2018	<u>126</u>	MOTION for Leave to File Supplemental Evidence in Support of My Motion for Summary Judgment <u>90</u> and, in Opposition to Defendants' Motion for Summary Judgment <u>98</u> by William A White. Proposed Supplement received and under review. (jaj) (Entered: 10/01/2018)
10/02/2018	<u>127</u>	ORDER denying <u>125</u> Motion for order to show cause. White believes the Government's counsel should be held in contempt of court for statingcorrectlythat the Department of Justice is "empowered to file a civil action to restrain harassment of a victim or a witness" in a federal criminal case if information about those third parties is ordered to be disclosed pursuant to the FOIA. This is not the type of conduct that warrants an order to show cause for criminal contempt for unlawfully influencing, injuring or impeding a juror or officer of the Court, <i>see</i> 18 U.S.C. § 1503(a), or for

		unlawfully obstructing, influencing or impeding an official proceeding, <i>see</i> 18 U.S.C. § 1512(c). Signed by Judge J. Phil Gilbert on 10/2/2018. (tlp)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 10/02/2018)
10/02/2018	<u>128</u>	ORDER denying <u>126</u> Motion for Leave to File. White attempts to submit additional documents to supplement his summary judgment briefing. He did not cite those documents or explain their significance in his original briefing, and to allow them to be added at this point would work an end-run around Local Rule 7.1(c)'s prohibition on sur-reply briefs. Signed by Judge J. Phil Gilbert on 10/2/2018. (tlp)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 10/02/2018)
01/08/2019	<u>129</u>	Case Reassigned to Magistrate Judge Gilbert C. Sison. Magistrate Judge Donald G. Wilkerson no longer assigned to the case. (cds) (Entered: 01/08/2019)
01/14/2019	<u>130</u>	NOTICE by Department of Justice <i>Regarding Processing of FBI FOIA Response</i> (Garrison, Suzanne) (Entered: 01/14/2019)
01/25/2019	<u>131</u>	REPLY to Defendant FBI's <u>130</u> Notice filed by William A White. (lmb) (Entered: 01/25/2019)
02/15/2019	<u>132</u>	MEMORANDUM AND ORDER, The Court DENIES White's motion for sanctions (Doc. <u>118</u>).The Court DENIES White's motion to strike the defendants' reply in support of its cross-motion for summary judgment (Doc. <u>124</u>). Signed by Judge J. Phil Gilbert on 2/15/2019. (jdh) (Entered: 02/15/2019)
02/15/2019	<u>133</u>	MOTION for Leave to Present Additional Evidence by William A White. (Attachments: # <u>1</u> Exhibits to Motion)(lmb) (Entered: 02/19/2019)
03/05/2019	<u>134</u>	ORDER denying <u>133</u> Motion for leave to present additional evidence. White attempts to submit additional documents to supplement his summary judgment briefing. He did not cite those documents or explain their significance in his original briefing, and to allow them to be added at this point would work an end-run around Local Rule 7.1(c)'s prohibition on sur-reply briefs. Signed by Judge J. Phil Gilbert on 3/5/2019. (tlp) THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 03/05/2019)
03/18/2019	<u>135</u>	NOTICE RESCHEDULING HEARING: The Final Pretrial Conference is Reset for 7/16/2019 at 9:00 AM with a Bench Trial date of 7/29/2019 at 9:00 AM in Benton Courthouse before Judge J. Phil Gilbert. This matter is STRICKEN from the previous final pre-trial and trial settings.(tag)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 03/18/2019)
07/10/2019	<u>136</u>	ORDER to Continue Final Pretrial Conference and Jury Trial: The Court resets the Final Pretrial Conference to 1/8/2020 at 9:30 AM and the Jury Trial to 1/27/2020 at 9:00 AM, both in Benton Courthouse before Judge J. Phil Gilbert. Signed by Judge J. Phil Gilbert on 7/10/2019. (lmt)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 07/10/2019)
07/10/2019	<u>137</u>	NOTICE of Modification in re: Order 136 . The Order at docket entry 136 incorrectly stated a Jury Trial had been set for 1/27/2020 rather than a Bench Trial. The Bench Trial is set for 1/27/2020 at 9:00 AM in Benton Courthouse before Judge J. Phil Gilbert. (lmt)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 07/10/2019)